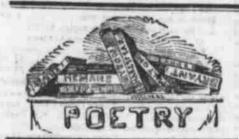
Carroll

"THE UNION OF THE STATES AND THE CONSTITUTION OF THE UNION."

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WHOLE NUMBER, 1258



Mother-Wife-Sister-Daughter

BY ANSON G. CHESTER.

Morney where the sod is brown, with the leaves that fluttered down When the latest Autump came, Stands a stone that bears thy name!

T.Il me if thy spirit comes Ever to its earthly homes? Tell me ii thou o'er hast smiled Since thy flight, upon thy child?
Tell me if, when Sleop's sweet streams.
Waft him to the Land of Dreams, Thou dost ever meet him there, With a blessing and a prayer? Tell me, does an angel yeara For the rapture of return To the scenes, the friends it knew Ere its pilgrimage was throught

Will the crown the Mother won. Be the heir loom of the son? Shall his wayward fal e ing feet Ever press the Golden Stre Shall we wander, hand in hand, Through the broad Celestial Land, Plucking fruit from vernal bough : While we breathe immortal yows Drinking from the Living river-Blest together, ble-t forever! God is merciful and just, He will guard thy hallowed dust, Till the Awful Throne is set, Till the tribes of earth are me And the God who cares for thee, He will watch and succor me.

Wirk! three years have rolled away Since our welcome welding day; Tell me, if, as thus, thy heart Finds in mine its counterpart! If the buds of Hope, that grow On thy way when Lave was new, Bought the roses that they pledged-If thy heart at d home are hedged With the juys that seemed to be Linked with our faturity? Tell me, have I ever erred In a look, a deed, a word? If I erred, then love must err-Am I not its worshipper?

In thy happy smi'e I see All that thou would'st say to me; Keep thy secret-it is best Garacred is thy loyal breast; While I count my tressures o'er Shall it be with open doo-? 'Tie enough for me to know That my darling loves me so.

Steren! -and my only one -When the b sy day is done. Do thy 'ove thoughts fly to me O'er the meadow, o'er the sea? Does the sun of childhood eleam Softly on thy twilight dream, And thy heart responsive move To the call of childhood's love? Though the walls of absence hide Though the murky waves divide, Though to Heaven ascends its hill, Dost thou cherish, bless me still?

For the love of other days For thy warnings and t'ny raise, Wor thy guidance and thy 'are, F'r thy kiss, thy smile, thy prayer, For the faith, which struggles on, Take a brother's benison,

IV. Distant but a few short miles F om the city's din and wiles, Underneath a mourtiful tree. Is an altar dear to me; It is holy as the p'ace
Where the Lord unveils his face-For beneath that sacred shrine, Sleeps the daughter that was mine!

DAUGHTER! on thy lowly bed Sunbeams, dows and showers are shed: But the sunbeams wake not thee-Thine are eyes which cannot seel And the dews can never chill Her whose nands and heart are still ; Nor the music of the rain Please her quiet car again !

Take, Oh Death ! the ripened sheaves ; Take the stalks and binder leaves ; Take the clusters, rich with wine, From the overladen vine; Take the fruit, in Autumn's hours, Take them all, but spare the flowers!

Scinted Mother ! cherub Daughter ! Ye have crossed the Silent Water ; Ye are clothed in new attire, Ye have won a erewn and lyre; Ye are bathed in light supernal, Ye are blest with joys eternal.

Darling Sister! darling Wife! Still we wear the bloom of life I S-ill we suffer, still we smile-We must wait and watch a while, He R ours to watch and wait, At the threshold, at the gate; Struggling on, by faith and prayer, Till we fly to meet them there!

Miscellaneous Reading.

Slaves Arrested at Cincinnati.

The following taken from the Cincinnati Gacal in their tendencies, to be long tolerated in a the county jail about 8 o'clock last evening.

RETURNED TO SLAVERY.

her child by a slave mother, while the officers which the writ is returnable. were in the act of making the arrest. A party of seventeen slaves escaped from Boone and Kenton counties, in Kentucky, (about sixteen afternoon on the body of the murdered slave

miles from the Ohio,) on Sunday night last, and | child. Its throat appeared to have been out | nr neither to be and as the | tent with the provisions of the Constitution of this equality, no unjust rule of interpretation standing there, they crossed the river on foot other slaves were arrested by the officers, Mr. on the ice.

Florence, and six of Levi F. Daugherty of whose arms it died. Kenton county. We have not learned who The inquest was not concluded, but will be claims the other three.

About 7 o'clock this morning the masters and their agents arrived in pursuit of their property. They swore out'a warrant before J. L. Pendery, Esq. United States Commissioner, which was put into the hands of deputy U. S. ny with their masters and the question will be is a more welcome shelter than the most hu-Marshal, Geo. S. Bennet, who obtained infor- rised before Judge Burgoyne on the trial of mane roof of the master. We know that slamation that they were in a house belonging to the habeas corpus, whether such bringing them very exists in Kentucky in its mildest form, a son of Jo Kite, the third house beyond Mill into a free State has not rendered them of Ohio, and yet, rather then see her chilcreek. The son was formerly owned in the freeneighborhood from which they had escaped and was bought from slavery by his father.

About ten o'clock the deputy U. S. Marshal proceeded there with his posse, including the slave owners and their agent and Major Murphy, a Kentuckian, and a large slaveholder .-Kite was called out and agreed to open the door, but afterwards refused; when two Ken tucky officers, assisted by some of the Deputy Marshals, forced it, whereupon the young man Simon, the father of the children, fired a revolver three times before he was overpowered. By one of these shots special Marshall John Patterson, who reached his arm to catch the pistol, had two of the fingers of his right hand shot off, the ball afterwards striking his lip.

In the house were found four adults, viz: old Simon and his wife, and young Simon and his wife and four children of the latter, the oldest near six years and the youngest a babe of about nine months. One of these, however, was lying on the floor dying, its head cut almost entirely off. There was also a gash about four inches long in the throat of the eldest, and a wound on the head of the other boy.

The officers state that when they questioned the boys about their wounds they said the folks threw them down and tried to kill them. The young woman, Peggy, and her four

children belonged to Marshall, and her husband and the old man Simon and the old woman Mary to Gaines. Old Simon and Mary are the parents of young S mon.

The other nine of the party, we formed, where put upon the cars yesterday, by a director of the underground railway, and furnished with through tickets.

Those arrested in Kite's house, were taken to the United States Court Rooms about twelve o'clock, when Commissioner Pendery opened his Court.

Gaines appeared to claim his negroes. Marshall was represented by his son, but as he had no power of attorney from his father, the case was posponed until 9 o'clock this morning, in order to give him time to supply this omission.

The fugitives were taken to the Hammond street station house to be kept over night. The Marshal attempted to get a hack to carry them there, but the crowd frightened all the hackmen that were called so that they declined .-They were afraid their carriages would be broken by the mob.

About an hour after they were taken there, Mr. Gaines came along with the dead body of the murdered child. He was taking it to Covington for interment that it might rest in ground consecrated to slavery.

About three o'clock a habeas corpus was itsued by Judge Burgoyne, and put into the hands of Deputy Sheriff Jeff. Buckingham .-He went down to the Hammond Street Station House, accompanied by a posse, and took possession of the fugitives, Deputy Marshall Bennet refused at first to give them up, but at length, after consulting with Mayor Farran, came and agreed to compromise by permitting the propriety or constitutionality of such them to be lodged for safe keeping in the coun- change, will be oppressive in operation, of danty jail. During this debate, Lieut Hazen, who has charge of the Hammond street Station ed. House, refused to admit the gentleman who swore out the habeas corpus. When Gaines, the master, came along he was freely admitted, kindly supported me for the Speaker's chair and this gentleman walked in behind him, but was seized by Lieut. Hazen and put out.

Deputy Sheriff Buckingham having put the fugitives in a 'bus, got in himself, and directed it to be driven to the jail, but Mr. Bennet jumped on the box and ordered the driver to drive to the U. S. Court Rooms. Here another fussed ensued, and Bennet, by the assistance of special Marshals, run the fugitives zette of the 29.h. ult., shows the practical up into his office. But Buckingham sent for workings of the Fugitive Slave law. Such Sheriff Brashears and a large force, and by scenes enacted in a Free State, are too diaboli- these they were re-taken and finally loged in

They are now in the custody of the Sheriff, ARREST OF FUGITIVE SLAVES-A SLAVE MOTH- and it is said will not be forthcoming to at-ER MURDERS HER CHILD RATHER THAN SEE IT tend Commission Pendery's Court this morn

Great excitement existed throughout the city Judge Burgoyne, after issuing the writ, stathe whole of yesterday, in consequence of the ted to Columbus. It is presumed he will be arrest of a party of slaves, and the murder of back at 11 o'clock this morning, the hour at

> THE INQUEST ON THE DEAD CHILD. Coroner Menzies held an inquest yesterday

that night to the Ohio river, opposite Western minutes after the arrest. Mr. Sutton, who the lash of the latter. Row, in this city, Leaving the horses and sled lives next door to Kite's, tertified that after the Gaines, the master, took his child and was in Five of them were the slaves of Archibald the act of carrying it off, when objections were K. Gaines, three of John Marshall, both liv- made to remove it before an inquest was held, ing in Boone county, a short distance beyond He at length surrendered it to Mr. Sutton, in

resumed at 9 o'clock this morning, at the Cor- mit of a word of refutation, for over the gas-

THE OBJECT OF THE HABEAS COPPUS.

Mr. Campbell and the Plurality Rule.

HOUSE OF REPRESENTATIVES, Washington, Jan. 25, 1856 To the Editors of the Intelligencer :

GENTLEMEN; -The struggle to elect a Speaker has been surrounded with much embarrassment, and the poculiar relation which it has been my misfortune, pursuing the advice of coming more and more an indelicate for me now to give any opinion as of the master, and the lives of the slave owners the cause of the existing difficulties. I prefer, are becoming daily more and more in peril. therefore, to submit quietly to the virulent as- Sudden deaths among the whites are alarmingsaults which many of the Anti-Administration ly frequent in slave States, and added to this papers are making, until a plain statement of facts may be given without the danger of pro- extinction of slavery in such a state as Kenducing further delay in the transaction of the tucky. The moral influence of woman, toopublic business. I am called upon, however, than to whom no one is more shamefully wrongby numerous private letters, as well as by a ed through the demoralization of society inciportion of the press entitled to a respectful reply, for my reasons for voting against an election of Speaker by a plurality vote.

I came into Congress inexperienced in Legislative duties in 1849, when there was a similar contest, the candidates being Messrs. Winthrop and Cobb. The Free Soil party was represented by Messrs. Giddings, Wilmot, Root, and some six others, who held the balance of power. After a protracted struggle, many efforts were made to adopt a plurality rule. Although a supporter of Mr. Winthrop, I united record it makes against the institution of Slaveture from the uniform usage since the organi-

zation of the Government, of hazardous tendency. It was heally adopted, and the result bondage! When, in the annals of the world, was that a House, a majority of which was has so thrilling so startling a tragedy been regelected as advocates of the Wilmot Proviso, refused to apply the restriction to the Territories acquired from Mexico, which by the laws of that Government, had been previously dedicated to free institutions, and closed its legisla- foul and wicked and abominable system. This tion on the slavery question by the enactment terrible drama speaks trumpet-tongued to the of the Fugitive Slave Law, without securing trial by jury, as recommended by Mr. Clay ked, startling and damning fact that a slave and the Compromise Committee of the Sen-

On one occasion during the contest referred to, when the plurality resolution was before the House, Mr. Giddings proposed the following substitute, in the propriety of which I ful-

'WHEREAS, the election of a Speaker of this body is one the highest and most important duties incumbent upon its members; and Whereas, also, by common consent of every House of Representatives since the adoption of the constitution, a majority of all the votes has been regarded as necessary to a choice of that officer; and Whereas, the freedom of de- to fight against the extension of this giant evil, bate has ever been regarded as one of the safeguards of American liberty : Therefore.

'RESOLVED, That a change in such election so as to elect a Speaker by a plurality of votes, while the minority are not admitted to discuss gerous tendency, and ought not to be adopt-

During the first week of this session, when it was suggested to me by the friends who that a plurality resolution would ensure success, I again avowed my opposition to it.

Without elaborating on the subject, my reasons for voting against it now I will state; not an infraction of the spirit of the Consti-

would not now, promote the success of the principles which I advocate. 3. Because I have reason to apprehend that its adoption at this time will result in giving the organization of the house to the friends of

2. That it is an abandonment of an uni-

the Nebraska Act. 4. Because, saide from principle, I am not disposed to stultify my past record until I am satisfied it is entirely wrong; certainly not until the public interest demands such a sacrifice,

and a change of my position would settle the 'vexed question.' I give these reasons briefly now from a re-

taking with them two horses and a sled, drove by a single stroke of a knife, and it died a few puppet of the former nor to be nativen under the State. The only objections taken to this can justify the construction of the 2d section in

Very truly yours, &c., LEWIS D. CAMPBELL. [From the Cleveland Herald.

The Fugitive Infaticide. All that could be said in one hundred vol umes agrinst slavery would be of no effect as compare with the deed of blood witessed last week in Cincinnatti; and it would seem, too. as if the blood-dyed argument was not to adping victim of the curse of human bondage didthe master assert that his slaves were all well It is said that it can be proven that these provided for, and had no cause for complaint. Thus it stands confessed, that slavery at best slaves have frequently been in Ohio in compa- is worse than death, and that the cold grave that which they only represent and evidence?

> dren go back to Kentucky bondage, the mother kills her babe, and attempts the lives of all her children! Actions speak louder than words and there is no mistaking the despair which drives a mother to such measures.

and particularly along the margin of the state

Kentucky must, through necessity, become Free State. Intelligence will work its way among the slave populat on, and friends will be found even within her borders ready and willing to aid the blacks towards the Queen's dominions. Beside, the slave population are beders of the Free States, will force the gradual dent to slavery- will be more and acknowledged, and through fear, through pecuniary interest, and though purer motives of the heart. the curse of slavery must be driven from Zentucky soil.

This tragedy rings across the Ohio, and since ts enactment thousands' of dollars in slaves nave been taken from the border counties of Kentucky the Loxington slave market, to be sold South, and other thousands have taken to evincing a debt, apparently and nominal'y due hemselves wings and flown away.

In commenting upon this fearfalls deed

blood, the Columbus Journal says; Is not this most horrible ! What a fearful with the Free Soil men on this question, and cy! A slave mother, rather than see her chiluniformly voted against it, agreeing with them dren staves for me, with the uniformly voted against it, agreeing with them heroism, destroys her offspring before the face in the arguments which they presented that it of her master! It was not cruelty, for her was of doubtful constitutionality, and a depar- mother's love bad braved the elements, and ventured every thing for them. What an aw- edly that that construction ought to prevail ful scene, and what a terrible condemnation which will work the least injustice and public does it pronounce upon the system of human

istered ? But we forbear. People of Ohio, of the free States, look at these fact ! They are the legliimate fruits of slavery. They flow from the system. Disguise it as you may, it is a most world, and to prosperity. It cannot be silenc-ed—it cannot be evaded. Here stands the namother, well treated, well fed, with nothing but the fearful life of a slave before her, has slain her own daughter rather than permit her

to live the life of a slave ! And yet we have men, even in the free States, who are not only not opposed to Slavery, but who are desirous of its extension into the heretofore free territories of our Union .-We confess our Constitutional obligations .-We have no right to interfere with this institution as it exists in the States. We have no right to pass laws to prevent the master from retaking an escaping slave if he can find him We prefer our Constitution and our Union to would ensue from its disruption. But we may, and God giving us strength we will, continue this nation's curse, into territories now free.

Opinion of the Attorney General. on the Constitutionality of the Tenth Section of the Tax Law.

To the Speaker of the House of Representatives of the State of Ohio.

Sin:-I have the honor to acknowledge the receipt of a copy of a resolution of the House requiring me to communicate to it, my opinion as to the constitutionality of the tenth section of the tax law, passed April 18th, 1852. I can but feel great reluctance in complying with this resolution, for the reason that this question has been passed upon by the Supreme Court of the State, and I am fully aware of the, at least seeming, presumption of attemping to elucidate a question that has been adju-1. That I am not fully satisfied that it is dicated by that tribunal. But I have no choice in view of the provisions of the law prescribing my duties, but to comply with the require- and then, as if fully aware without restriction presiding officers that ever graced the woolment of the House.

I, however, feel less embarrassment upon form usage, which did not in 1849, and I fear the subject, from the fact that in the case reported, in which it was passed upon by the Supreme Court, it was not directly before the Court for adjudication, and therefore, accord- prohibition was not inserted? If it is objected the horse and prominently sold a mark of ing to the universally received rule, in such that this destroys the equality of taxation He subsequently left the work beach for the cases, the opinion expressed does not have that seemingly required by the last clause of sec- office and green bag, and was admitted to the absolute and binding force which it would tion 3, it may be replied that the history of the Middlesex bar, where he has datinguished

patient examination, and without pretending to it was there held and contended, that taxing popular in his native town, and could always go into all the details of a subject which has banks without deductions, was placing them be elected to represent it when every other man gard to those who have requested them in res- been so fully and ably treated of by eminent upon an exact equality with individuals, when failed. He is of Democratic sympathies, and pectful terms. To the outsiders who have 'jobs' in view, and to the editors elsewhere who have denounced me as a 'traitor' to the principle I the following reasons why, in my opinion, the denounced me as a 'traitor' to the principle I the following reasons why in my opinion, the law referred to its re

section of the tax law, is that it allows deduct any way foreign to its primary intention, to tions for debts to be made from credits in list attain that object, for that is the standard to ing property for taxation. The provision of the Constitution applicable

to the subject, sec. 2, of art. 12, provides : that 'Laws shall be passed, taxing by a uniform rule, all moneys, credits, investments in wise; and also all real and personal property same conclusion as above indicated. according to its true value in money," &c .-What is meant by the term 'credits,' as here used? Does it mean notes, accounts, bills, &c., the evidences of credits specifically, and Does it mean all nominal credits or actual balsuces and dues, strictly so, and independent of the instruments which represent him? A credit is properly defined to be a sum of money due to any person.' Herce I infer that the term credit, as used in this clause of the Constitution, may, and should be, construed to mean, the sum due an individual after deducting what he owes. If not and the word ALL is to be taken in its broadest, most literal sense, I can see no reason why in every case of mutual accounts, where in lividvals have standing upon their boooks debit and credit items which are unadjusted, they should not be required to list the debit side, or what is nominally and not really due them for taxation, without striking the balance and deducting what stands upon the other side, Such a construction would violate the well known rule, that such construction shall be given to laws and constitutions, law as it then existed, the evident intention as shall render them both just and reasonable in their operation. On the other hand, if any class of debts may be deducted, why not al? published proceedings, the conclusion is irre-If a person can deduct what he owes to one, sistible that the section was thus peculiarly who in turn owes him, why may he not, up- worded in order to allow the Legislature this on the same principle, the debts he owes those very discretionary power; and I submit to any me it will be evident, from these considerating of language, by holding that the phrase as used in the Constitution means every thing not merely nominally, due the person assessed, an individual without deduction, is a perversion requiring real and personal property to be as-

owes. In a case of this kind, where there is doub! as to the true construction, the rule is undoubtnconvenience.

Chief Justice Marshall, in one case says It is true that when great inconvenience will result from a particular construction, that construction ought to be avoided, unless the meanng of the Legislature be plain, in which case it is to be obeyed. - 2 Cranch 386.

In the case of the People v. Canal Commissioners, 3 Scammon f60, it was held, 'That, if tors,' &c. This work was published in Boston. tually sacrifice great public interests, it would not and ought not to be intended, that such and should govern and control the construct nal. tion. That there is doubt in this case, is a- 'NATHANIEL P. BANKS, Jr., Speaker of the bundantly evidenced, by the diverse opinions House, is the man for the position he occupies the anarchy and the ten thousand evils that of the able judges who have passed upon it, -- Sharp, shrewd, impartial, polite, and thor-

and that such a construction works great inHe knows every member at a moment's justice, is equally evident, and it seems to me glance, and while he looks at the man (risthat the contrary one is both just, reasonable, ing to speak) with one eye, he looks thro' and fairly deducible from the language used, him with the other, and announces his name

eral Assembly shall provide, by law, for taxthe property of individuals. Here instead of side. using the term credits, the evidences of debt first entered the Legislature in 1849; was elecare enumerated specifically, and the term ted Speaker of the House in 1851 and re-elec-'dues' de., a synonymous one, is employed, ted in 1852-probably one of the youngest deductions could be made from some or all of sack. He was brought up as a machinist, and them, it was deemed necessary to add an ex- by way of pastime. He is self educated. It is press prohibition of such deductions, and it is said that at one time he was an active fireman, pertinent to inquire why, if the same result and 'ran with the machine,' and on boliday ocwas intended in forming section 2, the same casions donned the red shirt, buff pants and possess in a case directly involving the question. Constitution, (to which we may properly re. himself more by the faithfulness of his servi-I have given to the subject a careful and fer in case of doubt or ambiguity), showe that have always advocated and still adhere to, I section of the law referred to, is not inconsistation prescribed by the 3d section to attain ces.

which the othes is required to conform. One other reason derived from the obvious reading of section 2, is worthy of consideration in determining this question.

The peculiar construction of the section, bonds, stocks, joint stock companies, or other- will, if examined, lead, I apprehend, to the

Its language is: That laws shall be passed taxing, by a uniform rule, all moneys, credits, de, and also all real and personal property. according to its true value in money."

The word irs, cannot be made to relate to the terms 'moneys, credits,' &c,. without do. ng violence to the construction of language, which so able and learned a body as the Conrention that formed the Constitution, could hardly have been guilty of committing Bes'e; to provide that moneys shall be taxed at their 'true value in money,' is simply absurd on its face. The true reading, then is, that laws shall be passed taxing 'moneys, credits, &c., by a uniform rule, and real and personal (tangible) property at its true value in money. In the one case, the discretion being left to the law making power to fix the 'uniform rule'in the other requiring that no variation shall be made from absolute values. While I am well aware that mere grammatical construction cannot control or vary the otherwise obvious meaning, yet in this case, it seems to me the be alike unreasonable and absurd, and would plain meaning is, as I have indicated, and if so, the rule adopted, may allow deductions of of the framers of the Constitution to allow such deductions as gathered from their who do not happen to owe him? It seems to one; if any such violence is done to the meantions, that to hold that the term 'all credits,' li'all credits,' means the amount actually, and as is done by holding the clause referred to, mercial meaning of the term, which is, that sessed at its mercial meaning of the term, which is, that eredits, investments in bonds, d.c., making it read that 'all moneys, credits, &c., sha'l Le taxed at its true value in money."

Respectfully submitted, F. D. KIMBALL, Attorney General. Columbus, January 29, 1857.

Nathaniel P. Banks.

The election of this distinguished gentleman the responsible post of Speaker of the House of Representatives at Washington, has created a strong desire to know something of his antecedents and his personal appearance. We are happy to be able to supply this want. In 1852, Geo. W. Bungay, Esq., published a small vol-ume of 'Crayon Sketches and off hand takings

it were apparent that by a particular construc- Among the list of eminent men we find the tion of a law, in a doubtful case, such con- following short article on Mr. Banks. It is struction would be likely to endanger or to ac proper to state that since this work was published, this gentlemen has served with distinguished ability as President of the Constitutional Convention of Massachusetts, and has a construction was contemplated by the Leg- fully sustained his reputation as one of the islature in disregard of such interests.' Of most accomplished presiding officers in the Ucourse this rule only opplies in cases where nion. At the time this sketch was written, there is doubt as to the intention of the law making power, but in all such cases it applies, resentative body in the Union,—[O. S. Jour-

immediately and distinctly. Mr. Banks sel-An additional reason why this conclusion is dom makes a blunder, and he has tact and correct, is found in the terms used in section talent to conceal or correct many of the mis-3, of the same article, in regard to the taxa- takes made, by those whose bad manuscripts tion of banks, which provides, 'That the Gen. and worse grammar would be a caution to the ghost of Lindley Murry if read verbatim, et liberatim, et punctuatim, from the Speaker's ing the notes and bills, discounted or purchas- chair. He usually wears a brown frock coat, ed, moneys loaned, and other property, effects buff vest, and black stock. Mr. Banks has or dues of every description (without deduc. dark blue eyes, uncommonly expressive; a thin, tion), of all banks now existing, or hereafter pale, intellectual face; a plentiful supply of dark hair, (somewhat tinged with frost, though created, and of all bankers, so that all proper- he is not yet forty years of age,) which is ty employed in banking shall always bear a brashed so as to leave one temple bare, while burden of taxation equal to that imposed on it hangs down to the eye brow on the other

toiled with his bands, and exercised his brain ces to his clinents than the receipt of an immensity of business. He has slways been very